

ORDINANCE NO. 46-820

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY  
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2005-00039

Request for Zone change from Multi-family Residential to “OW” Office Warehouse, on property described as:

Lot 2, Block A, the Peacock 2nd Addition, Wichita, Sedgwick County, Kansas.

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #163:

- (1) Permitted uses are wholesale or business services, a church or place of worship, day care limited and general, group home limited and general, library, parks and recreation, automated telling machine, bank or financial institution, bed and breakfast inn, medical service, general office, commercial parking, personal care service, personal improvement services, printing & coping limited, and restaurants no more than 2,000-square feet in size and having no drive through or in-vehicle food service.
- (2) No outside storage or display.
- (3) Dedication by separate instrument of complete access control along the south side of the site, where it abuts the north side of Donna Avenue. Access onto the site will be from Central Avenue.
- (4) Solid screening, a minimum of 6-feet in height, will be provided along the east, south and west sides of the property where abutting or adjacent to residential zoning.
- (5) Landscaping will be per the Landscape Ordinance, along the east, west and south sides of the site, where abutting or adjacent to residential zoning.
- (6) 35-foot maximum height for all structures.
- (7) Compatibility setback standards will apply to the site’s west side. The platted 20-foot setback will remain in place on the site’s south side. A minimum of a 5-foot setback will be in effect along the site’s east side.
- (8) Lighting will be per the Unified Zoning Code, including a maximum height of 14-feet for any pole lighting. Pole lights will be located behind the setbacks, as noted along the site’s east, south and west sides.
- (9) Signage will be per the “NR” Neighborhood Retail zoning district, with no portable signs.

(10) The subject property owner will sign a no protest petition and register it with the City Engineer's Office in reference to paving Donna Avenue where Donna abuts the subject property's south side; the south side of Lot 2, Block A, the Peacock 2<sup>nd</sup> Addition.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, November 15, 2005.

---

Carlos Mayans - Mayor

ATTEST:

---

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

---

Gary E. Rebenstorf, City Attorney